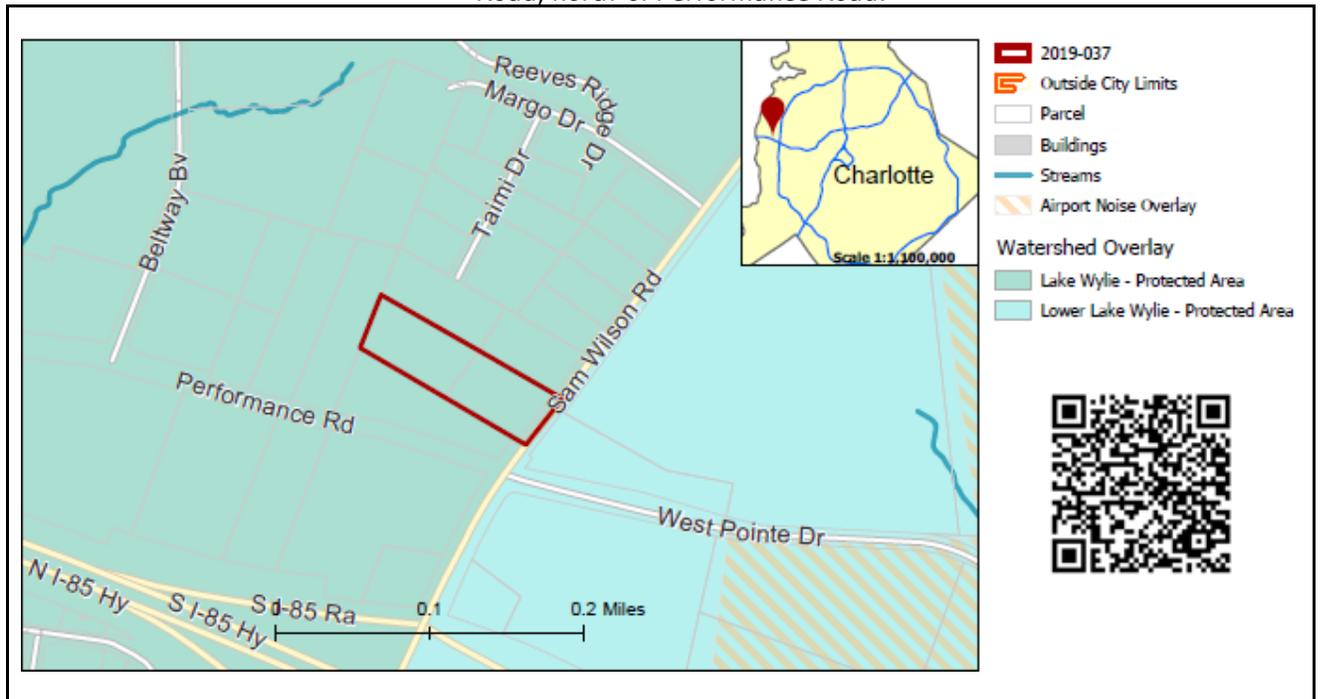


**REQUEST**

Current Zoning: R-17MF LWPA (multifamily residential, Lake Wylie Protected Area)  
Proposed Zoning: B-2(CD) LWPA (general business, conditional, Lake Wylie Protected Area)

**LOCATION**

Approximately 3.08 acres located on the west side of Sam Wilson Road, north of Performance Road.



**SUMMARY OF PETITION**

The petition proposes to redevelop the site to replace one single family home with uses permitted in the B-2 district.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

Aryana Developers LLC  
Jay Kamdar  
Caren Wingate

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 10

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to land use and transportation.

Plan Consistency

The petition is **inconsistent** with the office/industrial-warehouse-distribution land use recommendation of the *Catawba Area Plan*.

Rationale for Recommendation

- The proposed uses allowed in the B-2 (general business) zoning district by this site plan, while technically inconsistent with the office/industrial-warehouse distribution land use recommendation for this site, are consistent with the non-residential land use recommendation for the surrounding area.
- The site is within the West Growth Corridor, as per the *Centers, Corridors and Wedges Growth Framework*. The *Framework* states

that areas within one mile of interstate interchanges are appropriate locations for highway-serving retail (hotels, gas stations, restaurants). The site is within ¼ mile of the Interstate 85 interchange at Sam Wilson Road.

- The petition proposes transportation improvements to mitigate the impact of the project including the addition of right and left turn lanes on Sam Wilson Road as well as a bike lane, planting strip, and sidewalk along the site's public street frontage.
- The petition proposes a buffer and fence to lessen the project's impact on adjacent single family uses.

The approval of this petition will revise the adopted future land use as specified by the *Catawba Area Plan*, from Office/Industrial-Warehouse-Distribution land uses to Retail land uses for the site.

### PLANNING STAFF REVIEW

- **Background**

- The petition was originally filed as a conventional request for B-2. The petitioner has since revised the petition to B-2 conditional.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Limits development to the following uses:
  - Health care
  - Institutions
  - Schools
  - Religious institutions
  - Retail (maximum of 10,000 square feet)
  - Car wash
  - Hotels and motels
  - Office (maximum of 40,000 square feet)
  - Banks
  - Daycares
  - Restaurants (including drive thru)
  - Neighborhood food and beverage services
- Proposes a maximum building height of 65' with an increased side yard if the building height exceeds 40'.
- Establishes a 28'6" Class B buffer with 6' high solid fence on the northern property line adjacent to single family residential uses.
- Commits to a range of transportation improvements including:
  - Left and right turn lanes into the site with appropriate tapers.
  - Provides a \$25,000 contribution to NCDOT for a future traffic signal at Sam Wilson Road & Performance Road / West Pointe Drive.
  - Dedicates 35' of right-of-way from the centerline of Sam Wilson Road.
  - Constructs the full cross section for Sam Wilson Road as noted in the Catawba Area Plan including a 7'6" bike lane, 8' planting strip, and 6' sidewalk.
- Provides site lighting standards for freestanding lighting to be fully shielded and downwardly directed.

• Existing Zoning and Land Use



The site is developed with one single family home. Surrounding land uses include single family residential, business, and industrial uses.



The site is developed with one single family home and is surrounded by single family residential, business, and industrial uses. The site is denoted by a red star.



The properties to the north of the site are developed with single family homes.



The properties to the east of the site are developed with industrial and single family residential uses.



The property to the south of the site is vacant land.



The properties to the west of the site are developed with business and industrial uses. The site is denoted by a red star.

• **Rezoning History in Area**



| Petition Number | Summary of Petition   | Status   |
|-----------------|---|----------|
| 2020-049        | Proposed rezoning of 156.32 acres to I-2(CD) to allow up to 1.53 million square feet gross floor area of industrial uses and outdoor storage. | Pending  |
| 2019-134        | Rezoning of 1.27 acres to I-1 to permit light industrial uses.  | Approved |
| 2019-054        | Rezoning of 1.93 acres to I-1 to remove conditions from a prior rezoning to I-1(CD).  | Approved |
| 2019-033        | Rezoning of 9.89 acres to I-2(CD) to allow industrial uses including a contractor’s office and associated parking and outdoor storage.        | Approved |

|          |   |          |
|----------|---|----------|
| 2019-027 | Rezoning of 20.5 acres to I-2(CD) to allow up to 250,000 square feet gross floor area of industrial uses.   | Approved |
| 2017-078 | Rezoning of 0.19 acres to O-1 to allow office uses in a single-family structure.  | Approved |
| 2016-049 | Rezoning of 10.22 acres to I-2(CD) to permit a truck stop with fuel sales, convenience store, service shop, and fast food restaurant with drive thru. | Approved |
| 2016-020 | Rezoning of 1.92 acres to I-1(CD) to permit the display, sale, and service of vehicles, boats, and recreational vehicles.                             | Approved |

• **Public Plans and Policies**



The *Catawba Area Plan* (adopted 2010) recommends office/industrial/warehouse-distribution land uses for this site and surrounding area.

• **TRANSPORTATION SUMMARY**

- This site is located on Sam Wilson Rd., a State-maintained minor thoroughfare, near the cross roads of West Pointe Dr. and Performance Rd. In coordination with NCDOT, the petitioner has agreed to make multiple transportation improvements, both vehicular and pedestrian, including a left and right turn-lane on Sam Wilson Road, and a financial contribution to NCDOT for a traffic signal at the intersection of Sam Wilson Road and West Pointe Dr./Performance Road. In accordance with City Ordinances and the City’s WALKS and BIKES Policies, the petitioner has included bicycle and pedestrian improvements in the form of a 7.5-foot bike-lane, 8-foot planting strip, and 6-foot sidewalk along the site’s Sam Wilson Road frontage. Site plan revisions are needed for the approval of this petition. These revisions involve labeling, and fully dimensioning the bicycle and pedestrian infrastructure and the curb and gutter.

○ **Active Projects:**

- There are no active projects in the vicinity of this site.

• **Transportation Considerations**

- See Outstanding Issues, Notes 1-2.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on 1 single family dwelling).

Entitlement: 350 trips per day (based on 52 apartments).

Proposed Zoning: 1,260 trips per day (based on 10,000 square feet of retail).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water and sewer is accessible for this rezoning boundary. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No comments submitted.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

**OUTSTANDING ISSUES**Land Use

1. Revise list of permitted uses to match names of uses found in the B-2 district of the zoning ordinance.
2. Clarify the distinction of the proposed land uses of institutions versus religious institutions.

Transportation

3. Label and dimension each item from the existing center line of Sam Wilson Road.
4. Revise the site plan and conditional note(s) to include the construction of the cross section, as noted in the Catawba Area Plan, along the site's frontage on Sam Wilson Road. The bike lane, back-of-curb, planting strip, and sidewalk need to be labeled and dimensioned from the center line of Sam Wilson Road.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Joe Mangum (704-353-1908)